THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.12176 of 2007

DATED : 28-06-2007

Between :

U.Leela, W/o. U.Haribabu,
Door No.32-25-32, Acchiampet,
Opp: Nagar Palika,
Samastha Pradhamika School,
Visakhapatnam.

…Petitioner.

AND

The Station House Officer,
II Town Police Station,
Visakhapatnam and 4 others.

…Respondents.

THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.12176 of 2007

ORAL ORDER : (per the Hon'ble Sri Justice D.Appa Rao)

Heard learned Government Pleader for Home appearing for the respondents.

2. This writ petition is taken up basing on a Fax Message, dated 22-05-2007, issued by one Smt. U. Leela, W/o. U. Haribabu, Door No.32-25-32, Acchiampet, Opp: Nagar Palika, Samastha Pradhamika

School, Visakhapatnam, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, seeking Writ of Mandamus, alleging that one G. Chinni along with some others kidnapped her son, namely U.Narendra, aged about 15 years, and to direct the respondents to probe into the matter and trace out the boy.

3. The Sub-Inspector of Police, II Town Police Station, Visakhapatnam, filed counter affidavit, *inter alia*, stating that basing on the complaint, dated 07-03-2007, given by the petitioner, a case in Crime No.159 of 2007 was registered on
07-03-2007 and while the efforts are being continued for tracing the missing boy, on 12-06-2007, the petitioner along with the missing boy came to the Police Station and requested to drop further action in the matter on the ground that the boy left the house voluntarily. Accordingly, the boy was produced before the learned Metropolitan Magistrate for Railways, Visakhapatnam, on 25-06-2007 and the learned Magistrate recorded the statement of the boy, who deposed that he left the house voluntarily.

4. Since the very victim gave statement before the learned Magistrate that he left the house voluntarily, we do not see any grounds whatsoever to continue the writ petition any further. There are no merits in the writ petition and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

_____
JUSTICE D.S.R.VARMA

_____
JUSTICE D.APPA RAO

28-06-2007
Msr.

THE HON'BLE SRI JUSTICE D.S.R.VARMA

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.12176 of 2007

28-06-2007
(Msr)